

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Eastern District of Massachusetts
(State)

Case number (if known): Chapter

☐ Check if this is an amended filing

Official Form 205

Involuntary Petition Against a Non-Individual

12/15

Use this form to begin a bankruptcy case against a non-individual you allege to be a debtor subject to an involuntary case. If you want to begin a case against an individual, use the *Involuntary Petition Against an Individual* (Official Form 105). Be as complete and accurate as possible. If more space is needed, attach any additional sheets to this form. On the top of any additional pages, write debtor's name and case number (if known).

Part 1: Identify the Chapter of the Bankruptcy Code Under Which Petition Is Filed

1. Chapter of the Bankruptcy Code

Check one:

- ☒ Chapter 7
☐ Chapter 11

Part 2: Identify the Debtor

2. Debtor's name

New England Confectionery Company, Inc.

3. Other names you know the debtor has used in the last 8 years

Include any assumed names, trade names, or doing business as names.

4. Debtor's federal Employer Identification Number (EIN)

☐ Unknown

2 6 1 5 0 9 8 7 9
EIN

5. Debtor's address

Principal place of business

Mailing address, if different

135 American Legion

Number Street

Highway

Revere

MA

02151

City

State

ZIP Code

Number Street

P.O. Box

City

State

ZIP Code

Location of principal assets, if different from principal place of business

Suffolk County

County

Number Street

City

State

ZIP Code

Debtor New England Confectionery Company, Inc.
Name

Case number (if known) _____

6. Debtor's website (URL) www.necco.com

7. Type of debtor
- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other type of debtor. Specify: _____

8. Type of debtor's business

Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the types of business listed.
☐ Unknown type of business.

9. To the best of your knowledge, are any bankruptcy cases pending by or against any partner or affiliate of this debtor?

- ☒ No
☐ Yes. Debtor _____ Relationship _____
District _____ Date filed _____ Case number, if known _____
MM / DD / YYYY
Debtor _____ Relationship _____
District _____ Date filed _____ Case number, if known _____
MM / DD / YYYY

Part 3: Report About the Case

10. Venue

Check one:

- ☒ Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district.
☐ A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district.

11. Allegations

Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b).

The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a).

At least one box must be checked:

- ☒ The debtor is generally not paying its debts as they become due, unless they are the subject of a bona fide dispute as to liability or amount.
☐ Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or an agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

12. Has there been a transfer of any claim against the debtor by or to any petitioner?

- ☒ No
☐ Yes. Attach all documents that evidence the transfer and any statements required under Bankruptcy Rule 1003(a).

Debtor New England Confectionery Company, Inc. Case number (if known) _____

13. Each petitioner's claim	Name of petitioner	Nature of petitioner's claim	Amount of the claim above the value of any lien
	<u>Americraft Carton, Inc.</u>	<u>Goods sold and delivered</u>	<u>\$ 599,693.52</u>
	<u>Ungermans Packaging Solutions</u>	<u>Goods sold and delivered</u>	<u>\$ 532,278.50</u>
	<u>Genpro, Inc.</u>	<u>Business debt</u>	<u>\$ 493,722.46</u>
	Total of petitioners' claims		<u>\$ 1,625,694.48</u>

If more space is needed to list petitioners, attach additional sheets. Write the alleged debtor's name and the case number, if known, at the top of each sheet. Following the format of this form, set out the information required in Parts 3 and 4 of the form for each additional petitioning creditor, the petitioner's claim, the petitioner's representative, and the petitioner's attorney. Include the statement under penalty of perjury set out in Part 4 of the form, followed by each additional petitioner's (or representative's) signature, along with the signature of the petitioner's attorney.

Part 4: Request for Relief

WARNING — Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Petitioners request that an order for relief be entered against the debtor under the chapter of 11 U.S.C. specified in this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, attach a certified copy of the order of the court granting recognition.

I have examined the information in this document and have a reasonable belief that the information is true and correct.

Petitioners or Petitioners' Representative

Attorneys

Name and mailing address of petitioner

Americraft Carton, Inc.

Name
7400 State Line Road, Ste. 206
Number Street
Prairie Village KS 66208
City State ZIP Code

Name and mailing address of petitioner's representative, if any
C. Allen Booe

Name
7400 State Line Road, Ste. 206
Number Street
Prairie Village KS 66208
City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 04/02/18
MM / DD / YYYY

x C. Allen Booe Vice President - Finance
Signature of petitioner or representative, including representative's title

Christopher Candon, Esq.

Printed name
Sheehan Phinney Bass & Green, PA
Firm name, if any
255 State Street
Number Street
Boston MA 02109
City State ZIP Code

Contact phone 617-897-5600 Email ccandon@sheehan.com

Bar number 650855
State MA

x Christopher Candon
Signature of attorney
Date signed 04/02/18
MM / DD / YYYY

Debtor
Name New England Confectionery Company, Inc.

Case number 18-11217

Name and mailing address of petitioner
Ungermans Packaging Solutions

Name
1699 Highway #1
Number Street
Fairfield Iowa 52556
City State ZIP Code

Name and mailing address of petitioner's representative, if any
Alan Unger

Name
1699 Highway #1
Number Street
Fairfield Iowa 52556
City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 04/02/18
MM / DD / YYYY

x
Signature of petitioner or representative, including representative's title

Name and mailing address of petitioner
Genpro, Inc.

Name
201 Route 17 North, Ste. 400
Number Street
Rutherford NJ 07070
City State ZIP Code

Name and mailing address of petitioner's representative, if any
Robert Goldstein

Name
201 Route 17 North, Ste. 400
Number Street
Rutherford NJ 07070
City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 04/02/18
MM / DD / YYYY

x
Signature of petitioner or representative, including representative's title

John J. Dussi, Esq.

Printed name
Cohn & Dussi, LLC
Firm name, if any
500 West Cumming Park, Ste. 2350
Number Street
Woburn MA 01801
City State ZIP Code

Contact phone 781-494-0200 Email jdussi@cohnanddussi.com

Bar number 546355
State MA

x
Signature of attorney

Date signed MM / DD / YYYY

Joseph L. Schwartz, Esq.

Printed name
Riker, Danzig, Sherer, Hyland & Perretti LLP
Firm name, if any
One Speedwell Avenue
Number Street
Morristown NJ 07962
City State ZIP Code

Contact phone 973-451-8508 Email jschwartz@riker.com

Bar number 037161991
State New Jersey

x
Signature of attorney

Date signed 04/02/18
MM / DD / YYYY

Debtor New England Confectionery Company, Inc.

Case number (if known)

Name and mailing address of petitioner
Ungermans Packaging Solutions

Name
1699 Highway #1
Number Street
Fairfield Iowa 52556
City State ZIP Code

Name and mailing address of petitioner's representative, if any
Alan Unger

Name
1699 Highway #1
Number Street
Fairfield Iowa 52556
City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 04/02/18

MA / DD / YYYY

X Alan Unger
Signature of petitioner or representative, including representative's title

Name and mailing address of petitioner
Genpro, Inc.

Name
201 Route 17 North, Ste. 400
Number Street
Rutherford NJ 07070
City State ZIP Code

Name and mailing address of petitioner's representative, if any
Robert Goldstein

Name
201 Route 17 North, Ste. 400
Number Street
Rutherford NJ 07070
City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 04/02/18

MA / DD / YYYY

X Robert Goldstein
Signature of petitioner or representative, including representative's title

John J. Dussi, Esq.

Printed name
Cohn & Dussi, LLC

Firm name, if any
500 West Cumming Park, Ste. 2350

Number Street
Woburn MA 01801
City State ZIP Code

Contact phone 781-494-0200 Email jdussi@cohnanddussi.com

Bar number 546355

State MA

X [Signature]
Signature of attorney

Date signed 04/02/18
MA / DD / YYYY

Joseph L. Schwartz, Esq.

Printed name
Riker, Danzig, Sherer, Hyland & Perretti LLP

Firm name, if any
One Speedwell Avenue

Number Street
Morristown NJ 07962
City State ZIP Code

Contact phone 973-451-8506 Email jschwartz@riker.com

Bar number 037161991

State New Jersey

X [Signature]
Signature of attorney

Date signed 04/02/18
MA / DD / YYYY

OFFICIAL FORM 7

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
(EASTERN DIVISION)

In re

NEW ENGLAND CONFECTIONERY
COMPANY, INC.

Debtor.

DECLARATION OF ELECTRONIC FILING

PART I - DECLARATION OF PETITIONER

I, C. Allen Booc, Vice President of Finance of Americraft Carton, Inc. hereby declare under penalty of perjury that all of the information contained in my:

- ☒ Involuntary Petition
- ☐ Chapter 13 Plans
- ☐ Amended Plan
- ☐ Amended Schedules
- ☐ Application to Employ
- ☐ Affidavit
- ☐ Corporate Vote
- ☐ Verified Complaint (Adversary)

filed electronically, is true and correct. I understand that this DECLARATION is to be filed with Clerk of Court electronically concurrently with the electronic filing of the Document. I understand that failure to file this DECLARATION may cause the Document to be struck and any request contained or relying thereon to be denied, without further notice.

I further understand that pursuant to the Massachusetts Electronic Filing Local Rule (MEFLR)8(a) all paper documents containing original signatures executed under the penalties of perjury and filed electronically with the Court are the property of the bankruptcy estate and shall be maintained by the authorized CM/ECF Registered User for a period of five (5) years after the closing of this case:

Dated: April 2, 2018


C. Allen Booc

OFFICIAL FORM 7

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
(EASTERN DIVISION)

In re

NEW ENGLAND CONFECTIONERY
COMPANY, INC.

Debtor.

DECLARATION OF ELECTRONIC FILING

PART I -- DECLARATION OF PETITIONER

I, Robert Goldstein, President of Genpro Inc., hereby declare under penalty of perjury that all of the information contained in my:

☒ Involuntary Petition
☐ Chapter 13 Plans
☐ Amended Plan
☐ Amended Schedules
☐ Application to Employ
☐ Affidavit
☐ Corporate Vote
☐ Verified Complaint (Adversary)

filed electronically, is true and correct. I understand that this DECLARATION is to be filed with Clerk of Court electronically concurrently with the electronic filing of the Document. I understand that failure to file this DECLARATION may cause the Document to be struck and any request contained or relying thereon to be denied, without further notice.

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Dated: April 2, 2018



Robert Goldstein

OFFICIAL FORM 7

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
(EASTERN DIVISION)**

In re

New England Confectionery
Company, Inc.

Debtor.

DECLARATION OF ELECTRONIC FILING

PART I – DECLARATION OF PETITIONER

I, Alan Unger, President of Ungermans Packaging Solutions o/b/o Shanghai Hanchang Printing Co. Ltd., hereby declare under penalty of perjury that all of the information contained in my:

- ☒ Involuntary Petition
- ☐ Chapter 13 Plans
- ☐ Amended Plan
- ☐ Amended Schedules
- ☐ Application to Employ
- ☐ Affidavit
- ☐ Corporate Vote
- ☐ Verified Complaint (Adversary)

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I further understand that pursuant to the Massachusetts Electronic Filing Local Rule (MEFLR)8(a) all paper documents containing original signatures executed under the penalties of perjury and filed electronically with the Court are the property of the bankruptcy estate and shall be maintained by the authorized CM/ECF Registered User for a period of five (5) years after the closing of this case:

Dated: 4-1-2018

Alan Unger
Alan Unger